

Kimble, L. Carter

From: Kimble, L. Carter
Sent: Tuesday, January 3, 2017 4:21 PM
To: Scanlan, Felesha F.
Cc: Maisch, Don D.
Subject: RE: OSDH Statutory Program List Maisch List 2015 - Kim David 04-20-15.xlsx

Below is a list of 7 or 8 bills that passed either 2015 or 2016 that have something along the lines of “the State Board of Health shall . . . “ or “the State Department of Health shall . . . “

Let me know if you need anything from me.

HB1463 (2015)

SECTION 1. AMENDATORY 63 O.S. 2011, Section 1-270, is amended to read as follows:

Section 1-270. A. As funding permits, the State Department of Health shall ~~establish~~ foster and coordinate implementation of a plan for a statewide coordinated system of care for stroke, which shall include special focus and attention on ~~timely access to care, diagnosis, and the most advanced treatment for persons most disproportionately affected by~~ evidence-based treatment for stroke. Such system shall include, but shall not be limited to:

1. Recommendations from the Oklahoma Hospital Advisory Council and medical experts in stroke care;
2. ~~Partnerships~~ Collaboration and partnerships with relevant professional organizations and associations advocating for evidence-based treatment for stroke patients;
3. Measures to raise awareness ~~about the effects of uncontrolled high blood pressure and diabetes~~ and promote preventative medical care regarding risk factors for stroke; and
4. ~~Promotion of adherence to primary and secondary stroke recognition and prevention guidelines by health care professionals, including emergency medical services providers, such as emergency medical responders and transport providers, and hospital emergency room and health clinic personnel~~ Utilization of state-recognized stroke hospital classifications; and
5. Protocols for evidence-based pre-hospital and interfacility assessment, treatment, and transport of stroke patients by emergency medical responders and agencies licensed pursuant to the Oklahoma Emergency Response Systems Development Act.

B. The State Board of Health ~~shall~~ may promulgate rules as necessary to implement the provisions of this section.

SECTION 2. This act shall become effective November 1, 2015.

BILL NO. **2586**

By: Perryman of the House

and

Jech and Pittman of the Senate

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An Act relating to public health and safety; amending 63 O.S. 2011, Section 1-317, which relates to death certificates; providing that hospice medical director may sign medical certification under certain circumstances; amending 63 O.S. 2011, Section 1-317a, which relates to electronic capture of death certificates; requiring physicians to electronically file death certificates by certain date; requiring certain agencies to work together regarding permit applications; requiring certain agency to establish electronic accounts for funeral homes; providing for noncodification; and providing an effective date.

SUBJECT: Death certificates

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 3. AMENDATORY 63 O.S. 2011, Section 1-317, is amended to read as follows:

Section 1-317. ~~(a)~~ A. A death certificate for each death which occurs in this state shall be filed with the State Department of Health, within three (3) days after such death.

~~(b)~~ B. The funeral director shall personally sign the death certificate and shall be responsible for filing the death certificate. If the funeral director is not available, the person acting as such who first assumes custody of

a dead body in accordance with Section 1158 of Title 21 of the Oklahoma Statutes shall personally sign and file the death certificate. The personal data shall be obtained from the next of kin or the best qualified person or source available. The certificate shall be completed as to personal data and delivered to the attending physician or the medical examiner responsible for completing the medical certification portion of the certificate of death within twenty-four (24) hours after the death. No later than July 1, 2012, the personal data, and no later than July 1, 2017, the medical certification portion, shall be entered into the prescribed electronic system provided by the State Registrar of Vital Statistics and the information submitted to the State Registrar of Vital Statistics. The resultant certificate produced by the electronic system shall be provided to the physician or medical examiner for medical certification within twenty-four (24) hours after the death.

~~(c)~~ C. The medical certification shall be completed and signed within forty-eight (48) hours after death by the physician in charge of the patient's care for the illness or condition which resulted in death, except when inquiry as to the cause of death is required by Section 938 of this title.

~~(d)~~ D. In the event that the physician in charge of the patient's care for the illness or condition which resulted in death is not in attendance at the time of death, the medical certification shall be completed and signed within forty-eight (48) hours after death by the physician in attendance at the time of death, except ~~when~~:

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1. When the patient is under hospice care at the time of death, the medical certification may be signed by the hospice's medical director; and

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2. When inquiry as to the cause of death is required by Section 938 of this title.

Provided, that such certification, if signed by other than the attending physician, shall note on the face the name of the attending physician and that the information shown is only as reported.

SECTION 4. AMENDATORY 63 O.S. 2011, Section 1-317a, is amended to read as follows:

Section 1-317a. A. The State Registrar of Vital Statistics shall make available to all funeral directors and physicians licensed in this state a system to electronically capture the required information and file the prescribed death certificate with the State Department of Health. Access to the prescribed electronic system shall be provided to registered users at no cost.

B. Funeral directors and physicians shall be registered with the State Registrar of Vital Statistics prior to using the prescribed electronic system. The State Registrar of Vital Statistics shall provide such registration at no cost.

C. Registration shall be updated at least annually to maintain access to the prescribed system and shall include training on any changes or updates to the prescribed system or associated forms. Funeral directors licensed in this state shall be trained on the use of the prescribed electronic system to file personal data on the

prescribed death certificate. Physicians licensed in this state shall be trained on the use of the prescribed electronic system to complete, sign, and file the medical certification on the prescribed death certificate. The State Registrar of Vital Statistics shall provide the required training at no cost.

D. No later than July 1, 2012, funeral directors licensed in this state shall be required to sign and file death certificates using the prescribed electronic system.

E. No later than July 1, 2017, physicians licensed in this state shall be required to sign and file death certificates using the prescribed electronic system.

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SECTION 5. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

A. The State Department of Health and the Office of the Chief Medical Examiner shall work together to ensure that the permit applications for cremations and out-of-state dispositions function together.

B. The State Department of Health shall establish electronic accounts for each funeral home in the state.

SECTION 6. This act shall become effective November 1, 2016.

BILL NO. **2703**

By: Hall of the House

and

Holt and Pittman of the Senate

An Act relating to public health and safety; amending 63 O.S. 2011, Section 1-323, as amended by Section 1, Chapter 211, O.S.L. 2014 (63 O.S. Supp. 2015, Section 1-323), which relates to vital statistics records; expanding list of individuals who may inspect certain records; modifying number of years after which death certificates are considered public; requiring State Department of Health to make available certain online index by certain date; permitting private entities to receive certain digital files; permitting State Board of Health to promulgate certain rules; permitting electronic verification of certain certificates by certain entities; permitting Department to charge certain fee; providing for waiver of certain fee; permitting Board to promulgate certain rules; and providing an effective date.

SUBJECT: Vital statistics records

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 7. AMENDATORY 63 O.S. 2011, Section 1-323, as amended by Section 1, Chapter 211, O.S.L. 2014 (63 O.S. Supp. 2015, Section 1-323), is amended to read as follows:

Section 1-323. A. To protect the integrity of vital statistics records, to ~~insure~~ ensure their proper use, and to ~~insure~~ ensure the efficient and proper administration of the vital statistics system, it shall be unlawful for any person to permit inspection of, or to disclose information contained in, vital statistics records, or to copy or issue a copy of all or part of any such record except to ~~the~~:

- ~~1. The person who is the subject of the record or in such person's interest unless ordered to do so by a court of competent jurisdiction; provided;~~
2. A parent named on the record or a person acting with the parent's permission;
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3. Someone acting with permission of the person who is the subject of the record;
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4. Someone acting as a legal representative of the estate of the person who is the subject of the record;
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5. Someone acting as a legal representative of a person involved in a probate of the estate of the person who is the subject of the record, as demonstrated by affidavit;
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6. An attorney licensed to practice in the United States who demonstrates by affidavit that the record is necessary in order to administer a client's estate;
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7. Someone in receipt of a court order from a court of competent jurisdiction ordering access to the record;
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8. The Attorney General or to any district attorney upon request in the course of a criminal investigation;
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9. Only in the case of a death certificate, a funeral director;
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10. A representative of the Department of Corrections, when the subject of the record is under supervision of the Department of Corrections; or

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11. Any other person working in the best interest of the subject of the record, as determined by regulations of the State Board of Health.

Provided, that death certificates shall be considered publicly available records ~~seventy-five (75)~~ fifty (50) years after the death and birth certificates shall be considered publicly available records one hundred twenty-five (125) years after the birth. ~~Certified copies of birth certificates and death certificates shall be provided without cost and without a court order to the Attorney General or to any district attorney upon request in the course of a criminal investigation.~~

B. The State Department of Health shall, by July 1, 2017, make available an online public index that includes, as is applicable, the name, gender, date of birth, date of death, county of birth, and county of death of all persons in its records. Birth data shall not be added to the index until twenty (20) years after the birth. Death data shall not be added to the index until five (5) years after the death. The index shall be made available online at no cost to users.

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Private entities may request assistance from the Department in receiving digital files including all or part of the index described in this subsection. Such private entities may be assessed a fee that shall not exceed the cost of creating and transmitting the digital file. The Board may promulgate rules regarding access to such digital files and applicable fees.

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C. The Department may grant applications for electronic verification of the existence of birth and death certificates for legal and administrative purposes at any time following the birth or death when such applications are made by:

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1. A government agency in conduct of its official business;

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2. A benefit-paying party, including but not limited to an annuity company, pension plan or life insurance company in order to determine benefit status;

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3. A physician licensed to practice in the United States to determine if a patient has been lost to care; or

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4. Other entities for fraud protection, subject to verification of the entity's purpose by the Department.

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The recipient of a record verification as provided for in this subsection may not disclose to a party not involved in the issue for which the verification was sought.

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The Department of Health may charge up to Four Dollars (\$4.00) for each electronic birth or death verification, although such fee may be waived when such request is received by an Oklahoma state or local government agency. The recipient of a record verification as provided for in this subsection may also be

subject to fees levied by a contractor retained by the Board to provide such service.

The Board may promulgate rules necessary to implement the provisions of this subsection.

D. The State Commissioner of Health may authorize the disclosure of data contained in vital statistics records for public health surveillance or research purposes.

~~C.~~ E. The State Department of Health shall transmit to the Department of Public Safety:

1. At the end of each quarter year, a list of all registered deaths which have occurred during such period of time. Upon receipt of such list the Department of Public Safety shall use such list solely to update Department of Public Safety records and to cancel the driver license for those deceased individuals with a valid Oklahoma driver license at the time of death;

2. At the end of each month, a report of all registered deaths that resulted from a motor vehicle collision which have occurred during such period of time. The report shall be used by the Department solely for the purpose of statistical analysis and reporting; and

3. Upon written request from the Department, a death certificate. The certificate shall be used solely by the Fatality Analysis Reporting System (FARS) Analyst of the Oklahoma Highway Safety Office to populate the federal FARS database.

~~D.~~ F. Each month, the Commissioner shall authorize the transmission to the Oklahoma Health Care Authority of a certified list of all registered deaths of residents of this state that have occurred within the state for the immediately preceding month. The Oklahoma Health Care Authority shall use the transmitted list to ascertain the names of those individuals participating in the state Medicaid program who are deceased, and shall thereafter terminate such deceased person's enrollment in the state Medicaid program.

~~E.~~ G. For the purpose of assisting in the location and recovery of missing children, information pertaining to birth certificates and requests for copies of birth certificates shall be provided to the Oklahoma State Bureau of Investigation pursuant to the provisions of Section 1-323.1 of this title and Section 150.12A of Title 74 of the Oklahoma Statutes.

~~F.~~ H. The Commissioner shall authorize the transmission of death certificates to the Department of Labor for the purpose of the Department of Labor conducting a census of total occupational injuries and illnesses. The Department shall transmit to the Department of Labor statistics of fatal occupational injuries that shall include the following:

1. Name of the deceased;

2. Date of death;
3. Sex;
4. Race;
5. Age;
6. Birth date;
7. Social ~~security~~ Security number;
8. Whether an autopsy was conducted;
9. Month of the accident; and
10. Whether decedent was of Hispanic origin.

~~H.~~ I. The Department of Labor shall be required to protect the integrity of the vital statistics records to the same extent required of the Department pursuant to this section.

SECTION 8. This act shall become effective November 1, 2016.

BILL NO. **2797**

By: Coody (Ann), Billy, Peterson,
Strohm, Kern, Bennett, Christian, Ritze,
Moore, Johnson, Lepak and Faught of the
House

and

Griffin, Loveless and Brooks
of the Senate

An Act relating to schools; creating the Humanity of the Unborn Child Act; requiring State Department of Health to develop and maintain certain electronic form; requiring Department to develop certain materials; requiring State Department of Education to establish certain program; creating certain revolving fund; requiring

funds to be expended by State Board of Education for certain purpose; providing for codification; and providing an effective date.

SUBJECT: Humanity of the Unborn Child Act

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 9. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-751 of Title 63, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Humanity of the Unborn Child Act".

SECTION 10. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-752 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. Contingent on the availability of funds being appropriated by the Legislature specifically for this purpose, the State Department of Health shall develop, update annually and maintain an electronic form containing information concerning public and private agencies and services available to assist a woman through pregnancy, upon childbirth and while the child is dependent, which shall include a comprehensive list of the agencies available, including adoption agencies, a description of the services they offer and a description of the manner, including telephone numbers and email addresses, by which they might be contacted. The Department shall index this form geographically and shall make it readily accessible on the Department's website. The website shall include the following statement:

"There are many public and private agencies willing and able to help you carry your child to term and assist you and your child after your child is born, whether you choose to keep your child or to place him or her for adoption. The State of Oklahoma strongly urges you to contact them if you are pregnant."

B. The statement required by subsection A of this section shall include the hyperlink to the section of the Department's Internet website containing the information required by subsection A of this section and shall be made available in a downloadable format appropriate for display.

C. On or before January 1, 2018, the Department shall make available to each facility in this state which is open to the public containing a restroom available to the public, and licensed by the State Department of Health, signage which is to be posted in its restroom containing the statement and the website address to obtain

the information provided by subsection A of this section.

D. The State Board of Health shall promulgate rules to implement the provisions of this section.

SECTION 11. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-753 of Title 63, unless there is created a duplication in numbering, reads as follows:

Contingent on the availability of funds being appropriated by the Legislature specifically for this purpose, the State Department of Health shall:

1. Develop and make available materials designed to provide accurate, scientifically verifiable information concerning the probable anatomical and physiological characteristics of the unborn child at two-week gestational intervals. The Department may utilize as a resource the material dealing with characteristics of the unborn child created pursuant to Section 1-738.3 of Title 63 of the Oklahoma Statutes and as located on the website *www.awomansright.org* under the link "Characteristics of the Unborn Child";

2. Develop and distribute educational and informational materials to provide public information through public service announcements, media and otherwise for the purpose of achieving an abortion-free society. Such materials shall be developed from the most readily available, accurate and up-to-date information and shall clearly and consistently teach that abortion kills a living human being. All efforts by the Department in this regard shall be reported annually to the Chair and Vice Chair of the Senate Health and Human Services Committee and the House Public Health Committee;

3. Provide technical assistance to help community-based organizations in the planning and implementation of abortion prevention, alternatives to abortion referral and education programs regarding the humanity of the unborn child;

4. Provide outreach, consultation, training and alternatives to abortion referral services to schools, organizations and members of the community;

5. Distribute educational and informational material concerning maternal behavior during pregnancy which is helpful to a human child in utero, including avoidance of tobacco, alcohol and other drugs; proper nutrition and prenatal vitamins; and utilization of and resources available for prenatal medical and wellness care; and

6. Recommend to the State Department of Education scientifically verifiable information concerning the unborn child in the educational standards of science, family and consumer sciences and health classes.

SECTION 12. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-754 of Title 63, unless there is created a duplication in numbering, reads as follows:

Contingent on the availability of funds being appropriated by the Legislature specifically for this purpose and pursuant to Section 5 of this act, the State Department of Education, in collaboration with the State Department of Health, shall establish an instructional program for students consistent with the provisions of the Humanity of the Unborn Child Act. Local school boards may choose to implement the instructional program established by the State Department of Health and the State Department of Education consistent with the provisions of the Humanity of the Unborn Child Act. For school districts choosing to implement the instructional program, the content of instruction used by local schools to teach the humanity of the unborn child shall be at the discretion of the local school board; provided, the instructional program shall:

1. Provide accurate, scientifically verifiable information concerning the probable anatomical and physiological characteristics of the unborn child at two-week gestational intervals. The State Department of Education may utilize as a resource the material dealing with characteristics of the unborn child created pursuant to Section 1-738.3 of Title 63 of the Oklahoma Statutes and as located on the website www.awomansright.org under the link "Characteristics of the Unborn Child";

2. Include information on accessing prenatal health care; provided, no program or state employee may refer any student to a medical facility or any provider for the performance of an abortion;

3. Include no component of human sexuality education other than those included in science education standards; and

4. Comply with the provisions of the Parents' Bill of Rights, Section 2001 et seq. of Title 25 of the Oklahoma Statutes.

SECTION 13. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-755 of Title 63, unless there is created a duplication in numbering, reads as follows:

There is hereby created in the State Treasury a revolving fund for the State Board of Education to be designated as the "Public Education on the Humanity of the Unborn Child Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies deposited to the credit of the fund by law. All monies accruing to the credit of said fund shall be budgeted and expended by the Board for the establishment of the instruction programs established in Section 4 of this act. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.

SECTION 14. This act shall become effective November 1, 2016.

and

Cox of the House

An Act relating to students; creating the Chase Morris Sudden Cardiac Arrest Prevention Act; defining term; directing development and posting of certain information and materials; permitting the use of certain existing materials; requiring certain acknowledgement; authorizing certain informational meetings; requiring removal of certain students in specified situations; requiring certain evaluation and clearance; permitting certain consultation; requiring certain persons to complete specified training course; encouraging certain compliance; providing certain interpretation; directing promulgation of rules; providing for codification; providing an effective date; and declaring an emergency.

SUBJECT: Creating the Chase Morris Sudden Cardiac Arrest Prevention Act

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 15. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 24-156 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. This act shall be known and may be cited as the "Chase Morris Sudden Cardiac Arrest Prevention Act".

B. As used in the Chase Morris Sudden Cardiac Arrest Prevention Act, "athletic activity" means any sport sanctioned and offered in grades seven through twelve by a school district.

C. The State Department of Health and the State Department of Education shall jointly develop and post on their publicly accessible websites guidelines and other relevant materials to inform and educate students participating in or desiring to participate in an athletic activity, their parents and their coaches about the nature and warning signs of sudden cardiac arrest, including the risks associated with continuing to play or practice

after experiencing one or more symptoms of sudden cardiac arrest, including unexplained fainting, difficulty breathing, chest pains, dizziness and abnormal racing heart rate. In developing the guidelines and materials, the State Department of Health and the State Department of Education may utilize existing materials developed by other entities or organizations.

D. A student participating in or desiring to participate in an athletic activity and the student's parent or guardian shall, each school year and prior to participation by the student in an athletic activity, sign and return to the student's school an acknowledgement of receipt and review of a sudden cardiac arrest symptoms and warning signs information sheet jointly developed by the State Department of Health and the State Department of Education.

E. A school may hold an informational meeting prior to the start of each athletic season for all ages of competitors regarding the symptoms and warning signs of sudden cardiac arrest. In addition to students, parents, coaches and other school officials, informational meetings may include physicians, pediatric cardiologists and athletic trainers.

F. A student who collapses or faints without a concurrent head injury while participating in an athletic activity shall be removed by the coach from participation at that time.

G. A student removed or prevented from participating in an athletic activity pursuant to subsection F of this section shall not return to participation until the student is evaluated and cleared for return to participation in writing by a health care provider as defined in Section 3090.2 of Title 63 of the Oklahoma Statutes.

H. Once each year, a coach of an athletic activity shall complete the sudden cardiac arrest training course offered by a provider approved by the State Department of Health. A coach of an athletic activity shall not coach the athletic activity until the coach completes the training course required under this subsection.

I. The sponsors of youth athletic activities not associated with a school are encouraged to follow the guidance stated in the Chase Morris Sudden Cardiac Arrest Prevention Act.

J. Nothing in the Chase Morris Sudden Cardiac Arrest Prevention Act shall be construed to create, establish, expand, reduce, contract or eliminate any civil liability on the part of any school or school employee.

K. The State Board of Health and the State Board of Education shall promulgate rules to implement the provisions of this act.

SECTION 16. This act shall become effective July 1, 2015.

SECTION 17. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby

declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

BILL NO. 250

By: Paddack and Pittman of the
Senate

and

Denney and McDaniel
(Jeannie) of the House

An Act relating to diabetes prevention; directing Oklahoma Health Care Authority and State Department of Health to collaborate for development and submission of certain report; providing standards for report; providing for certain limitation; providing for codification; and providing an effective date.

SUBJECT: Diabetes prevention

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 18. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 7301 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma Health Care Authority and the State Department of Health shall collaborate to identify benchmarks and develop goals to reduce the incidence rates of, improve health care services for, and control complications resulting from diabetes.

B. The Authority and the Department shall submit a report to the President Pro Tempore of the Senate and the Speaker of the House of Representatives by January 10th of odd-numbered years. Such report shall contain the following information:

1. The fiscal impact of all types of diabetes on the Authority, the Department, and county health departments including the number of persons with diabetes receiving services through the Authority, the Department, and county health departments;

2. The fiscal impact of diabetes on the Authority, the Department, and county health departments in comparison to other chronic diseases;

3. An assessment of the benefits of diabetes prevention programs including a summary of funding directed to the Authority and the Department from the Oklahoma State Legislature;

4. A description of coordination between the Authority and the Department including, but not limited to, programs relating to the treatment and prevention of all forms of diabetes;

5. Detailed action plans for battling diabetes with actionable items for consideration by the Legislature including, but not limited to, steps to reduce the impact of diabetes, pre-diabetes, and related diabetes complications;

6. Identification of expected outcomes of the action steps and benchmarks for controlling and preventing all forms of diabetes; and

7. The development of a detailed budget blueprint identifying needs, costs, and resources required to implement the plan provided for in this act. Such blueprint shall include a budget range for all options presented in the plan for consideration by the Legislature.

C. The provisions of this act shall be limited to diabetes information, data, initiatives, and programs within the Authority and the Department prior to the effective date of this act, unless there is available funding for diabetes in each agency that may be used for new research, data collection reporting or other requirements of this act.

SECTION 19. This act shall become effective November 1, 2015.

BILL NO. 1386

By:

David of the Senate

and

Mulready of the House

An Act relating to health insurance; creating the State Innovation Waiver; allowing for multiple waiver submissions; establishing certain procedures for development;

requiring certain entities to submit information for approval; authorizing the Insurance Department to review health insurance market after waiver implementation; providing for codification; and providing an effective date.

SUBJECT: State Innovation Waiver

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 20. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1416 of Title 36, unless there is created a duplication in numbering, reads as follows:

A. There is hereby authorized the creation and submission of a State Innovation Waiver for the purpose of creating Oklahoma health insurance products that improve health and healthcare quality while controlling costs.

B. The State Innovation Waiver may include multiple waiver submissions under federal waiver authorities, including:

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1. Waivers as provided in Section 1332 of the federal Affordable Care Act for the purpose of waiving certain federal insurance and tax regulations to create more state flexibility within the health insurance market; and

2. Waivers as provided in Section 1115 of the federal Social Security Act for the purpose of participating in the Delivery System Reform Incentive Payment Program or uncompensated care pools or both the Delivery System Reform Incentive Payment Program and uncompensated care pools with the aim of incentivizing providers through payment for achieving better health outcomes.

C. The State Innovation Waiver shall be created consistent with the innovation design plan developed through the Oklahoma Health Improvement Plan. It shall be presented to the Oklahoma Legislature along with a summary of comments received from public hearings and shall include the identification of specific provisions of the Affordable Care Act to be waived in the State of Oklahoma.

D. Participating agencies, including but not limited to the State Department of Health, the Oklahoma Health Care Authority, the Department of Mental Health and Substance Abuse Services and the Insurance Department, shall develop the State Innovation Waiver with input from the private sector partners and various subject matter experts and submit any and all necessary information for approval to all relevant entities.

E. The Insurance Department is hereby authorized to conduct rate review for the individual and small group health insurance market upon implementation of the State Innovation Waiver under Section 1332 of the federal Affordable Care Act.

SECTION 21. This act shall become effective November 1, 2016.

From: Scanlan, Felesha F.

Sent: Tuesday, January 3, 2017 2:56 PM

To: Kimble, L. Carter <CarterK@health.ok.gov>

Cc: Scanlan, Felesha F. <FeleshaS@health.ok.gov>; Maisch, Don D. <DonM@health.ok.gov>

Subject: OSDH Statutory Program List Maisch List 2015 - Kim David 04-20-15.xlsx

Carter,

Attached is the list we just discussed that has not been updated since 2015. If you could please review and add any new mandates you are aware of quickly, it would be most helpful. Also, could you add Don and I to the Legislative updates so we can attempt to keep this list current. As I stated, I have a deadline of January 8th so I have a quick turnaround time.

Thanks so much!!

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